GOVERNEMNT OF ANDHRA PRADESH

ABSTRACT

Industries, Infrastructure, Investment & Commerce Department – Mines & Geology – Sri S Tulasi Naik, the then Tahsildar, Veldurthy, Kurnool District – Departmental Proceedings under Rule-20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 – Article of Charges – Issued.

INDUSTRIES, INFRASTUCTURE, INVESTMENT & COMMERCE
(VIGILANCE) DEPARTMENT

G.O.RT.No. 329 Dated: 28-11-2019

Read:

From the Director General, ACB, AP,Hyderabad. C.No.10/RE-KUR/2013, Dated:27.02.2016.

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ORDER :

It is proposed to hold an enquiry against Sri S Tulasi Naik, the then Tahsildar, Veldurthy, Kurnool District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges and statement of imputations (Annexure-I & II). A list of witnesses by which, and a list of documents by which, the article of charges are proposed to be sustained are also enclosed (Annexure-III to IV).

3. Sri S Tulasi Naik, the then Tahsildar, Veldurthy, Kurnool District is directed to submit his written statement of defense within 10 days from the date of receipt of this order and also to state whether he desires to be heard in person.

4. Sri S Tulasi Naik, the then Tahsildar, Veldurthy, Kurnool District is informed that an inquiry will be held only in respect of those article of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri S Tulasi Naik, the then Tahsildar, Veldurthy, Kurnool District is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above further action will be taken based on the material available.

6. Attention of Sri S Tulasi Naik, the then Tahsildar, Veldurthy, Kurnool District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumed that Sri S Tulasi Naik, the then Tahsildar, Veldurthy, Kurnool District is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the G.O. may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

K. RAMGOPAL
SECRETARY TO GOVERNMENT(MINES)

To
Sri S Tulasi Naik, the then Tahsildar, Veldurthy, Kurnool District (through Revenue Department, AP Secretariat).
The Revenue Department, AP Secretariat, Velagapudi. (with a request to serve & return served copy to Government).
Copy to
The Director General, ACB, AP, ,2nd Floor, N.T.R. Admn. Block, PN Bus Station, Vijayawada – 520001
The APVC, 5th Block, AP Secretariat, Velagapudi.
SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGE FRAMED AGAINST SRI S. THULASI NAIK, FORMERLY TAHASILDAR. VELDURTHY MANDAL, NOW AT VELGODE MANDAL,

KURNOOL DISTRICT.

That Sri S. Thulasi Naik joined Revenue Department as Adhoc Village Assistant in the O/o the MRO, Dhone on 16.6.1984 and subsequently he has been Jr. Asst, and obtained periodical promotion from time to time and became a Tahasildar on 28.2.2009. Sri S. Thulasi Naik worked as Tahasildar, Veldurthy during 15.6.2009 to 1.5.2012 and from 18.7.2012 to 16.9.2012. While working as Tahasildar at Veldurthy he committed grave misconduct in as much as he as he failed to control and he connived with illegal miners resulting resulting in large scale illegal mining of Iron ore at the village fields of Veldurthy mandal and as such he violated Rule 3(1) & (2) of APCS (Conduct) Rules, 1964.

Thus Sri S. Thulasi Naik, formerly Tahasildar, Veldurthy mandal, Kurnool district by his above mentioned acts violated the conduct rules by exhibiting lack of integrity, devotion to duty and conduct unbecoming of a public servant and thereby contravened Rules 3(1) & (2) of A.P.C.S. (Conduct) Rules, 1964.

K. RAMGOPAL
SECRETARY TO GOVERNMENT(MINES)

ANNEXURE-II

STATEMENT OF IMPUTATION OF MISCONDUCT OF MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGE FRAMED AGAINST SRI S. THULASI NAIK, FORMERLY TAHASILDAR, VELDURTHY MANDAL, NOW AT VELGODE MANDAL.

KURNOOL DISTRICT

That Sri S. Thulasi Naik joined Revenue Department as Adhoc Village Assistant in the O/o the MRO, Dhone on 16.6.1984 and then transferred as Jr. Asst, O/o MRO, Peapully on 16.05.1989. Later, he was promoted as R.l and posted as R.l, O/o MRO, Pagidyal on 7.9.1994 and then posted as Food Inspector, O/o DSO, Kurnool on 22.7.1995 and then transferred as MRI, Jupadubangalow Mandal on 26.10.1995. Later, transferred as Sr. Asst O/o District Registrar on deputation basis on 5.1.1998 and then as Spl. Dy. Tahasildar O/o SDC (LA), HNSS, Kurnool on 7.8.2000 and then transferred as CSDT, O/o DSO, Bethamcherla, Kurnool on 22.7.2004 and then promoted as Tahasildar and posted as Tahasildar, Peapully on 28.2.2009 and then transferred as Tahasildar, Veldurthy on 15.6.2009 and worked as such upto 1.5.2012 and then transferred as Tahasildar, Sambepalli, Kadapa district on 2.5.2012 and again transferred as Tahasildar, Veldurthy on 18.7.2012 and worked as such upto 16.9.2012. While working as Tahasildar, Veldurthy from 15.6.2009 to 1.5.2012 and from 18.7.2012 to 16.9.2012. Sri S. Thulasi Naik attains the age of superannuation on 31.5.2020 and he is herein after referred to as charged officer/Member of Service (MOS).

Whereas the A.P. Lokayuktha, Hyderabad has forwarded a letter vide Lr.in Dis.No. 012/B2/3036/2012, dt. 11.07.2012 to the Government and the Government in turn has addressed a letter vide Lr.No. 10592/M. 1 (1)/2012, dt. 7.11.2013 to the D.G., Anti-Corruption Bureau, Hyderabad by quoting the reference of letter of Lokayuktha and by enclosing the above intelligence report and petitions for enquiry and report on the alleged involvement of Government Officials in connection with the illegal mining and transportation of Iron ore and loss to the Government Exchequer. During the course of enquiry field inspections were conducted by a team of officers comprising officials of Anti-Corruption Bureau, Mines & Geology and Revenue Department in the village of Veldurthy Mandal and Bethamcherla Mandal on 14.2.2014 and 15.2.2014 respectively from 8 AM to 5 PM and the field inspection discloses that there are illegal mining pits all along the roads in the Government land / Patta land and endowment lands and that number of farmers have resorted to illegal mining of Iron ore in their own patta lands without valid permits from Mines & Geology Department. The enquiry further disclosed that the illegal mining took place in the said mandals and the VROs and villagers of R.S. Rangapuram, Kommuru, Kottala, Muddavaram, Veeraipally, Musalacheruvu, M.Pendekal, Marrikunta, Sitaramapuram, Ramallakota, Pullagummi,

Papasanikottala, Kalugutla and Sidhanagattu informed that illegal mining of Iron ore are going on in the fields of jurisdiction villages in which some unknown persons involved in the mining though they are check posts near Gram Panchayat Complex Bethamcherla (v & M), Kolumulapalli Road check post, Balapuram check post near Balapuram village of Bethamcherla Mandal, R.S.Rangapuram checkpost near railway gate R.S. Rangapuram village, Bethamcherla mandal, Papasanikottala checkpost, Papasanikottala village, Bethamcherla mandal, Dhone check post, near Kotlavaripalli (Old Taluk police station) Dhone (v & m), Ramillakota check post, near Peddamma temple, Ramarlakota village, Veldurthy mandal.

Whereas MOS as Tahasildar who is the custodian of the Government land (except Forest lands) and he has to process the PL/ML application for grant of leases only after receipt of no objection certificate from the competent Revenue authorities in favour of the applicant and G.O.Ms.No. 2, Revenue (Assignments-1) Department dt. 2.1.2003 clearly envisages guidelines to be followed for issuing no objection certificates in respect of granting of licenses.

Whereas the enquiry revealed that there was illegal mining and illegal transportation of Iron ore and the MSOis responsible in general as activity of illegal mining has taken place during his tenure as Tahasildar, Veldurthy from 18.7.2012 to 16.9.2012.

Hence MSO has committed grave misconduct in as much as he as he failed to control and he connived with illegal miners resulting in large scale illegal mining of Iron ore at the village fields of Veldurthy mandal and as such he violated Rule 3(1) & (2) of APCS (Conduct) Rules, 1964.

Thus Sri S. Thulasi Naik, formerly Tahasildar, Veldurthy mandal, Kurnool district by his above mentioned acts violated the conduct rules by exhibiting lack of integrity, devotion to duty and conduct unbecoming of a public servant and thereby contravened Rules 3(1) & (2) of A.P.C.S. (Conduct) Rules, 1964.

The MSO is therefore rendered himself liable for regular Department action for major penalty.

K. RAMGOPAL
SECRETARY TO GOVERNMENT(MINES)

ANNEXURE-III

LIST OF WITNESSES IN SUPPORT OF CHARGES PROPOSED TO BE SUSTAINED:-

1. Sri Apathy Ramesh Chowdary, Age 26 years S/o A. Govindu Chowdary, **VRO, R.S. Rangapuram-I** (including hamlet village ie., Kommuru Kottala) R/o H.No. 10-147, Ramakrishnapuram village, Banganapalli Mandal, Kurnool District.
2. Sri Gudipadu Venkata Rao, Age.51 years S/o G.V. Ramana, **VRO, Veeraipalli Village H/o Muddavaram (including hamlet villages namely Musalai Cheruvu and Veeraipally)** Bethamcherla Mandal, Kurnool district R/0 H.No.78/4-19-15 Ne1 Krishna Nagar, Kurnool town and N/o Amakathadu (V), Krishnagiri Mandal, Kurnool district.
3. Sri Meedivemula Maddilety Swamy, Age: 33 years S/o M. Sanjanna, **VRO of M.Pendekallu Village (including hamlet villages namely Marrikunta, Venkatagiri and Vempally)** R/o H.No. 3/168, Muddavaram (V), Bethamcherla (M), Kurnool district.
4. Sri Talari Venkateswarlu, Age.42 years S/o Talari Nadipi Venkateswarlu, **VRO of Seetharamapuram Village,** R/o H.No.10-43, S.Valasala Village, Dhone Mandal, Kurnool district.
5. Sri Kothuru Moulali, Age.43 years S/o K. Nabi Saheb, **VRO of Ramallakota (V),** Veldurthy Mandal, R/o H.No.3-98, Ramallakota (V), Veldurthy (M), Kurnool district.
6. Sri Yelkuri Yellakrishna, Age.38 years S/o Y. Chinna Ramudu, **VRO of Pullagummi (V),** Veldurthy (M) R/o H.No.2-28, Veldurthy (V) & (M), Kurnool district.
7. Sri Gudise Ramagopal, Age:49 years S/o G. Maddilety, **VRO, Kolumula Palle(V) (Including hamlet villages namely Balapalapalli, Papasani Kottala)** Bethamcherla (M), R/o 1-86, Thavisikonda (V), Bethamcherla (M), Kurnool district.
8. Sri Avula Maddaiah, Age.38 years S/o Late A. Sanjanna, **VRO, Kalugotla-II Village (including hamlet villages namely Krishnapuram and Siddanagattu)** R/o H.No.2- 28, Somayajula Palli (V), Orvakal (M), Kurnool district.
9. B. Ravinder, Asst. Geologist, O/o Asst. Director, Mines and Geology, Kurnool
10. D. Ramanjineya Reddy, Royalty Inspector, O/o Asst. Director, Mines and Geology, Kurnool.
11. N. Seenu, Surveyor, O/o Asst. Director, Mines and Geology, Kurnool
12. Collector and District Magistrate, Kurnool
13. M.V. Krishna Reddy, Inspector, ACB, Kurnool Range, Kurnool.
14. M. Mahaboob Basha, Deputy Supdt. of Police, Kurnool Range, Kurnool.

K. RAMGOPAL
SECRETARY TO GOVERNMENT(MINES)

ANNEXURE-IV

LIST OF DOCUMENTS IN SUPPORT OF CHARGES PROPOSED TO BE SUSTAINED:-

1) **Lr. No. 9302/ACB/2013, Dated: 18-12-2013 of the Assistant Director, Mines and Geology, Kurnool:** regarding information on (1) processing of applications for grant of Prospecting Licences & Mining Leases along extracts of Mineral Concession Rules, 1960 (Chapter.lll & IV), extract of G.O.Ms.No.2, Revnue (Assignment.!) Dept. dt. 02-01- 2013, extract of G.O.Ms.No.181, Industries and Commerce Dept. dt. 28-05-1998 and on iron ore transportation and also on check posts functioning in the Kurnool District (2) steps taken to curb illegal mining (3) details of check posts (4) details of quantity of iron ore loads transported, (5) details of cases booked by M&G department and correspondence made with Revenue and Police Departments for controlling illegal mining (6) details of officers and staff worked M&G department and (7) No.of licenses issued for mining and transportation of iron ore.

2) **Lr. Rc E7 1604/2012 dt. 21-03-2014, of the Collector and District Magistrate, Kurnool:** regarding information of available Xerox copies of documents pertaining to illegal mining and transportation of iron ore in Kurnool district.

3) Lr. Rc.G.1092/2013 dt. 29-03-2014, of the Revenue Divisional Officer, Kurnool: regarding information of related file No. Rc.F.867/2012 pertaining to illegal mining and transportation of iron ore in Kurnool district.

4) **Lr. L.Dis.(A5)/216/2014 dt. 28-01-2014 of the Collector and Dist. Magistrate, Kurnool:** regarding furnishing of information of the service particulars and job chart of Sri S. Thulasi Naik,Tahasildar, Peapully Mandal, Kurnool district.

5) **Lr. No. 9302/ACB/2013, Dated: 06-06-2015 of the Assistant Director, Mines and Geology, Kurnool:** regarding area of extent of illegal mining and regarding supervisory memos from superior officers.

6) **Lr. No. 9302/ACB/2013, Dated: 08-06-2015 of the Assistant Director, Mines and Geology, Kurnool**: regarding extent of illegal mining of iron ore.

7) Field inspection observation proceedings dt. 14-02-2014 from 8.00 hours to 17.00 hours conducted in the illegal mining prone areas in the fields of Ramallakota village and surrounding village areas of Veldurty Mandal by the officers of ACB, M&G and Revenue departments.

8) Field inspection observation proceedings dt. 15-02-2014 from 8.00 hours to 17.00 hours conducted in the illegal mining prone areas in the fields of R.S. Rangapuram village and surrounding village areas of Bethamcharla Mandal by the officers of ACB, M&G and Revenue Departments.

K. RAMGOPAL
SECRETARY TO GOVERNMENT(MINES)